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FROM: JiNan Glasgow

TO: Rodney P. Swartz, PhD, USPTO Primary Examiner, Art Unit 1645

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DATE: 3/17/2004

RE: patent application no. 10/665,233 response to Election/Restrictions

TOTAL PAGES (including cover): 4

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PTO/SB/21 (08-03)

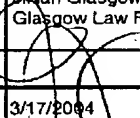
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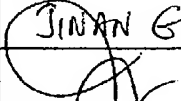
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/865,233
	Filing Date	09/17/2003
	First Named Inventor	Gilles R. G. MONIF
	Art Unit	1645
	Examiner Name	Rodney P. SWARTZ, PhD
	Attorney Docket Number	1365-001
Total Number of Pages in This Submission	4	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Response to Restriction/Election requirement	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	JiNan Glasgow Glasgow Law Firm, PLLC
Signature	
Date	3/17/2004

CERTIFICATE OF TRANSMISSION/MAILING	
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Typed or printed name	JINAN GLASGOW
Signature	
Date	03/17/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket #1365-001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 17 2004

In re the Patent Application of:

Monif

Art Unit: 1645

Application No: 10/665,233

Examiner: R. Swartz

Filed: 09/17/2003

Paper No. ____

For: MYCOBACTERIUM AVIUM SUBSPECIES PARATUBERCULOSIS ORAL
VACCINE AND METHODS

RESPONDING TO 02/17/2004 OFFICE ACTION

RESTRICTION/ELECTION REQUIREMENT

Honorable Commissioner of Patents

PO Box 1450

Alexandria, VA 22313

Sir:

In response to the 02/17/2004 Office Action in the above-identified application requiring a restriction and/or election of a single disclosed invention regarding Invention I drawn to a method of immunizing hosts, classified in class 424 subclass 9.1; Invention II drawn to a method of identifying an organism, classified in class 435 subclass 253.1; and Invention III drawn to a vaccine composition, classified in class 424 subclass 248.1, the following election is made, without traverse, for prosecution of the case on the merits:

Invention I, which includes claims 1-6.

Monif

Attorney Docket #1365-001

Note that the Applicant asserts that there is no undue burden on the Examiner to make a search and office action on the merits for the invention as claimed in the initial application, including what the examiner has indicated as being separate inventions, those elected and not elected at this time. As such, the Applicant asserts that all claims should be examined on the merits at this time, but nonetheless makes the election as indicated so that substantive examination on the claims 1-6 may proceed accordingly.

If any issues remain outstanding, incident to the allowance of the application, Examiner Swartz is respectfully requested to contact the undersigned attorney at (919)-664-8222 or via email at jingang@trianglepatents.com to discuss the resolution of such issues, in order that prosecution of the application may be advanced and ultimately concluded favorably to the applicant, consistent with the applicant's making of a substantial advance in the art.

Respectfully submitted,


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